

1882-015 Chancery Causes: Adm. of Boyd Dickinson for to vs. William Dickinson & Lee Co.

Ely, Dickinson & Wood, Wood, Cook, Graham, Sims, Baylor,
Duncan

CA-Debt
T-Property

To the Honorable John A. Kelly Judge of
the Circuit Court of Lee County Va.

Your orator Thomas S. Ely Sheriff admin-
istrator of the estate of Boyd Dickinson
deceased, who was the survivor of the late
firm of Dickinson & Wood late Farmers
and partners under the firm name and
style of Dickinson & Wood, and who was
for the benefit of Catharine T. Dickinson
humbly complaining, respectfully
represents that heretofore to wit, on
the 21st day of March, 1850 Wm Dickinson
executed his writing obligatory, to the said
Dickinson & Wood for the sum of Twenty
two dollars & fifty cents, due & payable
three months after the date thereof.

Said bond will be found herewith filed marked
"A." and is prayed to be considered herewith
as part hereof; no part of which has
ever been paid. The said Dickinson soon
after the execution of said writing obligatory
removed from this Commonwealth, and has
since continued to remain abroad.

Your orator alleges that he is informed &
believes, that estate & debts due said
Wm Dickinson, in the hands of one

C. T. Duncan a Commissioner of this Court, and that John M. Cook and Charles H. Cook the administrators of the estate of Charles Cook deceased is indebted to said Dickinson in the sum of \$100- or more, that said Cooks when they administered on the said Charles estate entered into bond with ~~their security~~ ^{their} Wm R. Graham, John D. Sims & Thomas Baylor, their securities ~~them~~ who are as guarantors are advised liable & bound for the sums due from said Cooks as aforesaid. The object of this bill therefore is to have attached the effects of the said Wm Dickinson in the hands of John M. Cook & Charles H. Cook administrators of the estate of Charles Cook deceased, and also any sums due from said C. T. Duncan and the same held to abide the future order of this Court.

His prayer therefore is that ^{Wm Dickinson} John M. Cook and Charles H. Cook administrators of the estate of Charles Cook deceased and Wm R. Graham John D. Sims & Thomas Baylor, their

recuring in their official bond, and C. J.
Duncan Commission he made parties de-
fendants to this bill and answer its
allegations upon oath, that said John M.
Cook & Charles H. Cook advised and
the said C. J. Duncan answer how much
is in their hands due the said Dickinson
and when the same is due & payable,
And for all after further and general
relief may supersede & say he shall
be attached & held liable for the
debt due your orators, the said
Wm R. Graham, and Thomas Baylor are also
non residents of this Commonwealth,
but estates due them in this county
which your orators also pray to have
attached & held liable for any sum
found due & properly payable from
them, may supersede &c.

Itayano & Dickinson

Orlth 5.57 July 1881.

240

Thomas P. Ely adm-^{gr}

By Bill Ely
Foreign attachment.

Wm Dickinson et al

1879. Oct. Bill Filed. Sha Exce.
on G. T. Duncan & G. T. bank
& Decree nisi.

" No Decree nisi Conf. & could.

1879. Decr. could.

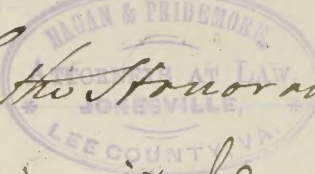
1880. Could this year.

1881. Jan. Feb. Mar. Apr & May Could.

" June & July Could.

" Aug. Sept, Octo Nov & Dec ^{Conte}

1882 Jan Feb & March Could


To the Honorable John A. Kelly, Judge of the
Circuit Court of Lee County Va

The answer of C. T. Duncan Commis-
sioner to a bill filed in this Court against him and
others by Thomas S. Ely Sumr. &c.

Respondent in answer to said bill will state
that he was by a decree of your Honorable Court ordered
in the cause of Mary A. Vaughan. against John M.
Coush et al. &c. was directed as Commissioner to sell
the real estate which descended to the heirs of Charles
Coush dec'd. that in pursuance of said decree he
sold said lands and they brought after paying costs
of suit & commissions of sale. about \$690.00 That
Wm Dickinson and Maryord his wife formerly
Maryord Coush and one of the heirs are entitled
to $\frac{1}{4}$ part thereof to wit about the sum of \$172.50
The aforesaid sale was made upon a credit of one two
and three years. and was made on the 30th day of
Decr 1878. hence an installment is now due.
Having now answered and here offering to pay the
money going to said parties as the Court shall
direct this respondent prays to be hence dismissed

C. T. Duncan Commr.

Sworn to before me James W. Orr Clerk of the Cir-
cuit Court of Lee County Va by C. T. Duncan this
26th day of March 1885. James W. Orr. Clerk.

2nd. 1st. 2nd. 3rd.

1st. 2nd. 3rd. 4th.

1st. 2nd. 3rd. 4th.

1st. 2nd. 3rd. 4th.

1st.

To the Hon John Kelly Judge of The Circuit
Court of Lee County Va.

The separate answer of Charles T Duncan
to a bill filed in this Honorable Court against
the respondent as Commissioner & others
by J. B. West & Lou S his wife & Mary A
Vaughan.

This respondent for answer states that
he was appointed a commissioner in
the chancery cause of Mary A Vaughan
vs J. M. Cook it also for the purpose of
selling the real estate descended to the heirs
of Charles Cook dec'd that as said com-
missioner he sold said real estate on
the 3rd day of December 1878. That
according to the terms of the decree under
which he acted said J. M. Cook was
decried 1/7 of the proceeds of said sale
and the sum realized by said sale was
after paying costs of suit & commissions
of sale about the sum of \$691. one
seventh thereof being the sum of \$98. is
due to the estate of said J. M. Cook
Said sum draws interest from the 3rd
day of December 1878 and now having
answered to.

C. T. Duncan Comr

Sworn to. Mch 26th 1880.

James W. Orr, Clk.

B. T. Duncan Com
and 3 answer

J. B. West wife et al
Filed Apr 26th 1880.
Jas W Orr Clerk.

Mary A. Vaughan - - - Plff.

Against

John M. Leuk. et al.

Thomas S. Ely foroe.

Against

William Dickinson et al.

} In Chy.

On the motion of the plff in the second
degree of continuance ~~perhaps entered in this cause is of record~~ or
style Cause, these causes are ordered to be
heard together - and therefore they came on to
be heard upon the papers formerly read in
the first cause, and the bill of the plff in
the second cause, taken for confessed as to all
the defendants except E. S. Duncan, Comr.

whose answer is filed and replication thereto
is also filed.

And it appearing by said answer that the
said Commissioner has in his hand the
sum of \$90. due in one two or three
years from 3rd day of Dec. 1878, and interest
from date, of the fund due defendant
Wm Dickinson - And consideration whereof
and for reasons appearing to the court, it
is adjudged ordered and decreed that the plff
Thomas S. Ely admit & receive from Wm
Dickinson the sum of \$22.50. and legal interest
thereon from the 21st day of March 1880 until
paid and the costs of the second named suit.

Sub Commissioner C. T. Duncan is hereby directed
after executing bond for the purpose as provided by the
decree entered in the first styled cause, to pay to the
^{beneficial} plff in this cause out the fund in his hand as
the same falls due and is collected the same being
accrued to her. But before she shall be enti-
tled to the benefits of this decree she shall
execute bond in the penalty of \$100. conditioned
to perform the future orders of this court
upon the defendant Wm. Dickinson appear-
ing and making defense as provided by
law. He will report his action from
time to time as the cause is continued.

Thos. D. Gay Act 2

in Decree

and be done as stated

Apr. 5. 1879

Entered this Decree
Dec. 5. 1879

Three Months after date
I bind myself to pay
Dickinson & Woods twenty
two Dollars & fifty cts
for value received with
my hand
Harcourt

Wm. F. Dickinson

Wm D. Kincaid

note \$22.50

A

The Commonwealth of Virginia.

To the Sheriff of Lee County—Greeting:

We Command you to Summon John M. Leach & Charles H. Leach Admrs of L. Leach deceased, & Wm R. Graham, John D. Sims, & Thomas Baylor the said Leach's securities in their official bond, Wm Dickinson and C. T. Duncan Comrs.

To appear at the Clerk's office of the Circuit Court of Lee county, at the court-house, on the first Monday in October next, being rule day, to answer a bill in chancery, exhibited in our said court against them by Thomas S. Ely Sheriff Admr. of the Estate of Boyd Dickinson deceased, who was the dominor of the late firm of Dickinson & Wood, late farmers & partners under the style, firm & name of Dickinson & Wood who sues for the benefit of Catherine S. Dickinson

And have then there this writ. Witness, Jas. W. Orr, clerk of our said court, at the court-house, this 15th day of September, 1879, in the 104th year of the Commonwealth.

James W. Orr. Clerk.

Thos S Ely ¹²⁴⁰ Secy

vs { Sps in Chy.

John M Couch et als

Oct Rules 1877

Exacted repor

to S. Leuncane and

to J. Couch

Thos S Ely S. G. C.

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A Copy, James W Orr. Clerk.
Teste James W Orr. Clerk.

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A copy. *James W Orr. Clerk.*
Leste James W Orr. Clerk.